

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).2537/2005

(From the judgement and order dated 07/10/2004 in CRL.Appllication No. 2149/2004 of The HIGH COURT OF JUDICATURE OF BOMBAY AT AURANGABAD)

UNION OF INDIA & ANR.

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ANR.

Respondent(s)

(With appln(s) for c/delay in filing SLP and exemption from filing O.T. and office report))

WITH

S.L.P(Crl) NO. 2454 of 2005

(With appln(s) for c/delay in filing SLP and Bail and exemption from filing c/c of the impugned

Judgment and exemption from filing O.T. and office report)

Date: 16/09/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner(s)

Mr. A.Sharan, ASG.

Ms. Sandhya Goswami, Adv.

Ms. Sushma Suri,Adv.

For Respondent(s)

Ms. Pinky Anand, Adv.

Mr. A.P. Mayee, Adv.

Mr. Ravindra Keshavrao Adsure,Adv.

UPON hearing counsel the Court made the following

O R D E R

SLP(Crl)No.2454 of 2005

Delay condoned.

Special leave granted.

The appeal is allowed in terms of the signed order.

SLP(Crl.)No.2537/2005

This special leave petition filed by the Union of India has become infructuous since the

accused himself preferred Criminal Appeal No.1208/2005 [Arising out of S.L.P(Crl)No.2454 of 2005]

which has been allowed by us today. The same is, therefore, dismissed as having become

infructuous.

(Sheetal Dhingra) (Vijay
Dhawan)

Court Master

Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No.1208 OF 2005

[Arising out of SLP(Crl.) No.2454 of 2005]

BHIMSINGH
Appellant(s)

..A

Versus

WITH

SLP(Crl.)No.2537/2005

O R D E R

Delay condoned.

Special leave granted.

We have heard counsel for the parties.

Having regard to the facts and circumstances of the case, we are satisfied that in

the peculiar facts of this case, the appellant ought to have been released on bail. By an

interim order dated 2nd May, 2005 passed in SLP(Crl.) No.....CRLMP.3721/2005, we had

directed that the petitioner be released on bail on his furnishing bail bonds to the satisfaction

of the trial court. We are informed that he has since been released on bail. The order of 2nd

May, 2005 is made absolute.

This appeal is allowed in the above terms.

SLP(Crl.)No.2537/2005

This special leave petition filed by the Union of India has become infructuous since

the accused himself preferred Criminal Appeal No.1208/2005 [Arising out of S.L.P(Crl)No.2454 of 2005] which has been allowed by us today. The same is, therefore, dismissed as having become

infructuous.

.....J.

(B.P. SINGH)

.....J.

(S.H. KAPADIA)

New Delhi

September 16, 2005.